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11 Attorney for Plaintiff
12 DAVID C. BARNEY

13 UNITED STATES DISTRICT COURT
14 NORTHERN DISTRICT OF CALIFORNIA
15

16 DAVID C. BARNEY,

17 Plaintiff,

18 v.

19 AMERICAN ORTHODONTICS
20 CORPORATION, and DOES 1 through 20,
inclusive,

21 Defendants.
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Case No. 4:18-cv-03653-HSG

**SECOND REVISED JOINT DISCOVERY
PLAN AND ORDER**

Hearing Date: Sept. 25, 2018
Time: 2:00 p.m.
Courtroom 2 – 4th Floor

Trial Date: No date set
Complaint Filed: November 13, 2017

Plaintiff David C. Barney (“Plaintiff”) and Defendant American Orthodontics Corporation (“Defendant”) (together, the “Parties”) jointly submit this Revised Discovery Plan pursuant to the Court’s September 27, 2018 Order (ECF 19).

1. SETTLEMENT AND ADR

The Parties have discussed and have agreed to private mediation with Jeffrey Ross, to take place on March 19, 2019.

2. SCHEDULE

After meeting and conferring, the Parties propose the following case management deadlines. The Parties propose that expert disclosures should follow the dispositive motion hearing date.

| Event | Proposed Deadline |
|---|--------------------|
| Non-expert discovery cut-off | May 3, 2019 |
| Last day for dispositive motion hearing | July 18, 2019 |
| Designation of experts | August 1, 2019 |
| Designation of rebuttal experts | August 30, 2019 |
| Expert-discovery cut-off | September 27, 2019 |
| Final Pretrial Conference | October 15, 2019 |
| Trial | October 29, 2019 |

Dated: October 9, 2018

/s/ William A. Cosmopulos
JOSHUA J. CLIFFE
WILLIAM A. COSMOPULOS
LITTLER MENDELSON, P.C.
Attorneys for Defendant
AMERICAN ORTHODONTICS
CORPORATION

1 Dated: October 9, 2018

2
3 /s/ Mark P. Velez
4 MARK P. VELEZ
5 THE VELEZ LAW FIRM, PC
6 Attorney for Plaintiff
7 DAVID C. BARNEY

8 **FILER'S ATTESTATION**

9 Pursuant to Local Rule 5-1, I, the filer of this document, attest that all other
10 signatories listed, and on whose behalf the filing is submitted, concur in the filing's content and have
11 authorized the filing.


12
13 /s/ William A. Cosmopulos
14 WILLIAM A. COSMOPULOS
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1 CASE MANAGEMENT ORDER

2 The above JOINT DISCOVERY PLAN is approved for this case and all parties shall comply
3 with its provisions.

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5 IT IS SO ORDERED except the first day of trial will be Monday, October 28, 2019 at 8:30
6 a.m.

7 Dated: October 10, 2018

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9 
10 HON. HAYWOOD S. GILLIAM, JR.
11 UNITED STATES DISTRICT JUDGE
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